G. R. S. 58
*Previous references*

File No 212-B
Serial Nos. 162

1908
( ME )

*Later references*

# GENERAL AND REVENUE SECRETARIAT.

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*Serial Nos*

Part B for Nov^r 1908

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SUBJECT

Furnishing information to the Govt Advocate, regarding the State of Constitution of the Chitral Army Mully Shah proves to keep Octroi on ammunition
with the appeal case before the Chief Court

St 1] From the Govt Advocate, Enclosure No 144 & 14-1 with reference to the Criminal Revision case in the Chief Court of Hazara against Chitral Army and enquire about the date of formation of the Army & whether Border Levy is a Regular Army
St 2] To the Govt Advocate No 6965 & 26-11-08 furnishes the information called for.

To the Director Mil Chitral Army No. 5966 & 26
Forwarding a copy of the above with instruction to issue the instructions to the Govt Advocate

GPS 3,000—7-4-07

G.R.S.11 ] 1908 89

GENERAL AND REVENUE SECRETARIAT

Municipal

NOTES

File No 212

FILE HEADING

Right of the Chitaldroog Municipality to levy octroi

From The Govt Advocate in Mysore

No 144 Dated 11 11 1908 Received 12 11 1908

Diary No 3271 | Encls | Spare Copies | Serial No 1

BRIEF ABSTRACT OF LETTER

With reference to Criminal revision case posted for hearing on 8 12-1908 in the Chief Court, enquires (1) when the Chitaldroog Municipality was formed and under what authority (2) whether the regulation of 1906 apply to the same and (3) how under what authority ~~has~~ the municipality levies octroi on jaggery

NOTES AND ORDERS

Chitaldroog was formed into a Municipality (Non regulation) under the late Chief Commissioner's Notification No 3397-D 504 dated

The

R

Notes—First sheet

GPB— 0 000—3 1 07

G R S. 12]
General and Revenue Secretariat

Mem File No 212 of 1908

Serial No

dated the 25th September 1869, the Municipal affairs being regulated under the executive orders of the Chief Commissioner (and Hon of the Govt).

2. The town was notified in the Mysore Gazette dated the 5th November 1908 as a permanent Municipality under the Mysore Municipal Regulation, 1906 The Municipal Council has not yet been constituted till the Councillors are appointed under the Regulation, the Regulation cannot be said to apply to this Municipality The existing State of things continues

No 4069 Jud 1 06 11 2 31 st 1908

Q

3 The levy of Jaggary on octroi in the Municipality is authorised by orders contained in G O No 15812-4 L R 214-93 dated the 22nd March 1894.

P

4 It is submitted that it has been ordered in G O No 13468-75 1st 14 Oct Date.

Note—Contn sheet

GPB—50 000 18 5 08

G R S. 12]
General and Revenue Secretariat

327 Genl File No 212 of 1908

Serial No

dated the 15th June 1896 that the levy of Extra duties on non-regulation pieces of calico is regulated by Sayer Circular No 29 dated the 5th May 1840. But the Sayer or excise duty on Coconut by Betel Leaves & Tobacco as well as Salah on Supari has been since been abolished — both effective from the 1st July 1907 (vide Govt Proc No 1968 78-N-88 dated the 14th March 1907. Though this has been done, the Circular of 1840 above referred to has not been further drawn

1879 & S Vern 3347 73 dt 161 9/2/1879

submitted for orders.

HMS 18.11.1908

The information contained in paras (1) (2) and (3) above well, if approved, be communicated to the Govt Advt

19.11.08 HMS

Mrs may be done. Necessary draft to Govt in separate note.

Please put up draft

20.11.0 HMS

Draft of a letter is submitted

HMS 21.11.1908 (Secy) 21.11.08 HMS

Draft approved

P.D.O 23/11/08

(Add the first sentence of para 4)

23-11-08

NOTE—Contn sheet

GPB—50 000—15 5 08

G B S. 12]
General and Revenue Secretariat

3271 File No of 190

| Serial No | |
|---|---|
| | Issue |
| | 24-11-08 Illegd |
| 2 | To the Govt Advocate No 4965 & 26-11-08 |
| | States that Chitaldroog was constituted into a non Regn Municpty ~~under the~~ under the late Ch Commrs ~~notification~~ notification dy 16-9-69 and the affairs of the Municpty are being regulated by Govt, that though it has been constituted into a Municpty under the new Municpl Regn, yet as the Municpl Council has not been constituted, it cannot be said that the Municpl Regn applies & that Municpty and that octroi & Octroi, was levied as per GO No 15812-4/dy 21-4-93 & 22-3-94 and that the levy of octroi duty in non-Regn Municpties is regulated by the late Chief Commrs Sayer Circular No 29 dy 5 Sr 1870 |

Note—Contn sheet

GPB—50 000 18 5 08

Office of the Government Advocate in Mysore

Bangalore dated, 11th November 1908.

D 3271

From,

The Government Advocate in Mysore,

Bangalore.

To,

The Secretary to the Government of H.H. the Maharaja of Mysore General and Revenue Departments.

Sir,

One Sowcar Kadappa and his servants were charged, before the Munsiff Magistrate of Chitaldrug, ~~for offences~~ - under sections 183 and 186 I.P.C in preventing the Municipal peons from taking a certain cart belonging to the said ---- Kadappa laden with jaggery to the Municipal Office for ---- levying octroi duty payable thereon. The Munsiff Magistrate convicted them and this conviction was upheld by the District Magistrate except in regard to one of the servants

2. The accused have now applied to the Chief Court - for revision, on the grounds that the Municipality of ---- Chitaldrug had no legal authority to levy the octroi duty - and consequently the acts of the Municipal servants were -- wrongful and the accused are not guilty of any offence

3. In order to support the above conviction, information on the following points is necessary -

1. When was Chitaldrug Municipality formed, and under what Regulation?
2. Does the Regulation of 1906 apply to the same?
3. Under what authority does that Municipality levy -- octroi on jaggery?

G.R.S. 26]

212

File No 08

Serial No 2

Diary No of letter replied to 3271

No. 4965 ml 2 Dec 08 dy 26.11.08

General and Rev Secretariat (Municipal)

, the 190

To The Govt Advocate in Mysore

Date of issue 26 11 08

Signed by MVKM

Sir,

In reply to your letter No 1164 dy the 11th instant enquiring (1) when the Chickaballapur town was constituted formed into a Municipality and under what Regn (2) whether the Municipal Regn of 1906 applies to the same and (3) under what authority the Municipal Board of this town levies octroi on Jaggery, I am to state as follows

With reference to above in case Mr Ketkar the Chairman of the Chickaballapur Municipality is taken ill the Municipal Vice Chairman Mr Venkatappa being taken ill the Municipal Vice Chairman Mr Venkatappa being taken ill the Municipal Vice Chairman Mr Venkatappa being taken ill the Municipal Vice Chairman for being appointed by the Municipality

over

SUBJECT

I. The Chickballapur town has formed into a Municipality (Non regulation) under the late Ch Comrs Notn No 3397-D 504 dated the 25th September 1869, the Municipal affairs being regulated under the executive orders of the Chief Comr — Vide of the Govt

II. Above Notification under Reg Notn No 4069 Munl 341-06-117 dt the 31st October 1908 published in the Mysore Gazette & the 5th Nov 1908, has declared the town to be a permanent Municipality but the Municipal Council has not yet been constituted till the Municipal Councillors are appointed, it cannot be said that the Regn applies to this Municipality & its affairs must continue to be regulated as heretofore by the old rules and orders

under the Munl Regn, 1906

List of enclosures,

Signed by

Copied by

MyCPL — 51000-10-12-04

G.R.S 27]

GENERAL AND REVENUE SECRETARIAT

(Continuation Sheet draft form.)

III The levy of Octroi on Jaggery is authorized by Orders contained in G.O No 1581 2-4 CR 2147/3 dated the 22nd March 1894

2 I am to add that ~~in G.O No 13468-75 CR 140-95 dated the 15th June 1896 the~~ levy of Octroi in non regulation Municipalities is governed by the Sayer Circular, No 29 dated the 5th May 1870 A Copy of order No 13468-75 CR 140-95 of the 15th June 1896 in the matter is enclosed for your information

Hanrecke

23 Nov 08

Ex 986

Copy forwarded to the Pres. Municipalities in Chittoor Bellary Kurnool and Guntur and the Municipalities in the Nilgiris for information

21.11.1908

Secretary

Secy 21/11/08

Secy